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SEP 29 2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Christian John COOK

Via Facsimile (703) 872-9306

10 pages

Serial No.: 09/936291

Group Art Unit: 1616

Filed: January 8, 2002

Examiner: Neil S. Levy

For: AGENTS AND METHODS FOR PROMOTING
PRODUCTION GAINS IN ANIMALSTRANSMITTAL LETTER/REQUEST FOR PTO-1449Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On June 16, 2004 undersigned attorney hand carried an IDS along with a Form PTO-1449 and copies of the references set forth in the PTO-1449. Attached hereto is a copy of the IDS, the PTO-1449 and the dated postcard receipt less the references. It will be clearly seen that the postcard receipt, which is definitive, clearly indicates that the Disclosure Statement, copies of the references and the European Search Report were received by the PTO on June 16, 2004.

There was a telephone discussion with Examiner Levy on September 24 at which time Examiner Levy said he would fax the PTO-1449 received June 16, 2004. Not receiving the PTO-1449 there

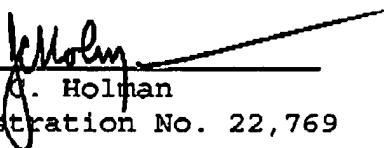
was a further telephone discussion on September 28 at which time Examiner Levy explained that the IDS was not considered because "the European Search Report was not submitted".

As clearly seen from the attached date received postcard the European Search Report was submitted and if lost, it was lost by the PTO. Attached hereto is the IDS, European Search Report and the PTO-1449 and since the Examiner has the references and now has the European Search Report which was mailed April 16, 2004, within three months of the filing of the IDS, early receipt of the Form PTO-1449 is requested.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By:


John C. Holman
Registration No. 22,769

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Atty. Dkt. No.: P67120US0
Date: September 29, 2004

Enclosures: Date received postcard
IDS; PTO-1449; EPO Search Report

Patent Previous

Today's Date 09/29/04

Patent No. 09/936,291
Applicant, Patentee, Assignee COOK

Filing Date 1-8-02

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

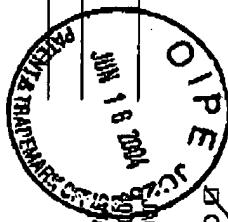
_____ pp. Specification & _____ Claims Response to Office Action
 Combined Declaration, Power of Attorney Disclosure Statement-IDS
 Preliminary Amendment Copies of References
 Rule 33 (b) Application Request for Refund
 Rule 33 (d)/RCE Application Request for Corrected Filing Receipt
 Claim to Priority and Certified Copy Petition for XOT
 Substitute Subsequent Declaration Notice of Appeal/Notice
 Maintenance Fee Sequence Listing
 Drawings _____ Sheets _____ Formal _____ Informal Issue Fee Transmittal
 Assignment/Change of Name Other *Enclosed*

Small Entity Declaration

Check for \$ 180.00

COOK
JUN 16 2004
JACOBSON HOLMAN PLLC
100 SEVENTH STREET, N.W.
WASHINGTON, D.C. 20004

JH 1101 DUE DATE _____
Person filing VCertif/CC



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PATENT SEP 29 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Confirmation No.: 2439

Christian John COOK Group Art Unit: 1616

Serial No.: 09/936,291 Examiner: LEVY, NEIL S.

Filed: January 8, 2002 Atty. Docket No.: P67120US0

For: AGENTS AND METHODS FOR PROMOTING GAINS IN ANIMALS

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

As a means of complying with the duty of disclosure under 37 CFR §1.56, and in accordance with 37 CFR §§1.97 and 1.98, Applicant, through the undersigned attorney, submits this Information Disclosure Statement. The patents, publications or other information submitted herewith are listed on the attached Form PTO-1449 and copies are attached.

In accordance with 37 CFR §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under 37 CFR §1.113 or a Notice of Allowance under 37 CFR §1.311 but before the payment of the Issue Fee. Therefore, certification in accordance with 37 CFR §1.97(e) is included herein.

The patents and publications listed on Form PTO-1449 were cited in the European Search Report mailed not more than three months ago in a counterpart European patent application. A copy of the European Search Report is enclosed.

Additionally, submitted herewith is a credit card payment form for the fee of \$180.00 which is the IDS processing fee under 37 CFR §1.17(p). Should any additional fee be required by the filing of this statement, please charge such fee to Deposit Account No. 06-1358. A duplicate copy of this paper is enclosed.

CERTIFICATION

It is hereby certified that the first citation of any item(s) by a foreign patent office in a counterpart foreign application was not made, in any communication from the foreign patent office, more than three months prior to the filing of this statement.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By: 

John C. Holman
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Date: June 16, 2004.
JCH/JC/clc

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LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT

APPLICANT: COOK
 SERIAL NO.: 09/936,291
 FILING DATE: January 8, 2002

GROUP ART UNIT: 1616
 ATTY. DOCKET NO.: P67120US0
 TODAY'S DATE: June 16, 2004

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE (If Appropriate)
AA						
AB						
AC						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	Translation
						(Yes) (No)
AD						
AE						

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AF	Williams et al., "Enhancement of in vitro binding and some pharmacological properties of diazepam by a novel antihelmintic agent", Avermectin Bla", Eur. J. Pharmacol., Vol. 56, pages 273-276, XP002274490
AG	Ammendola et al., "Enhancement of some pharmacological properties of diazepam and pentobarbital by avermectin bla", Res. Comm in Psychology Psychiatry and Behavior, Vol. 17, No. 3, 1992, pages 133-146, XP009028073
AH	Kyriakis et al., "Thin sow syndrome. The effect of amperozide", Br. Vet. J., Vol. 146, 1990, pages 463-367, XP009028077
AI	Lanusse et al., "Enhancement of the plasma concentration of albendazole sulphoxide in sheep following coadministration of parenteral netobimbin and liver oxidase inhibitors", Res. In Vet Sci., Vol. 51, 1991, pages 306-312, XP009028071
AJ	Wang Shuwen: "Analgesics suitable for tumour treatment", Database WPI, Derwent Publications Ltd., Class B05, AN 2002-395184, XP002274491
AK	

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).